



John M. Kerr, Esquire  
Heather S. Clouser, Paralegal

October 5, 2009

VIA ECF

The Honorable Christopher C. Conner  
United States District Court Judge  
Federal Building & U.S. Courthouse  
228 Walnut Street  
Harrisburg, PA 17108

Re: DiBrito v. Harrisburg Area Community College  
No. 1:08-CV-2308

Dear Judge Conner:

I am writing with regard to the Court's Order of September 9, 2009, requiring the parties to pursue mediation and directing me to advise the Court of the status of this matter on or before October 12, 2009.

After discussion via numerous e-mail transmissions back and forth, the parties have been unable to agree upon a private mediator. Accordingly, we request your assistance pursuant to Local Rule 16.8.5(a), so that we might participate in the Court-annexed Mediation Program.

Plaintiff had proposed Jane Rigler, Joseph Skelly, or Thomas Place, all certified by The Middle District. Defendant had proposed former Judge Edward Cahn, Bennett G. Picker, or Judith Meyer.

Thank you for your assistance in this matter, and we look forward to participating in the program and, hopefully, to reaching an amicable resolution of this matter.

Respectfully yours,

A handwritten signature in dark ink that reads "John M. Kerr". The signature is written in a cursive, slightly slanted style.

John M. Kerr

cc: Jennifer Craighead, Esq. (via ECF)  
David Freedman, Esq. (via ECF)

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